

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2628**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroyuki KOJIMA et al.

Group Art Unit: 2871

Application No.: 10/725,424

Examiner: D. NGUYEN

Filed: December 3, 2003

Docket No.: 117756

For: ELECTRO-OPTICAL DEVICE ENCASED IN MOUNTING CASE AND
PROJECTION DISPLAY APPARATUS

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the January 4, 2007 Office Action, reconsideration of the rejections is respectfully requested in light of the following remarks.

Claims 3-14 are pending in the application, claims 13 and 14 being withdrawn.

I. The §103(a) Rejections Are Moot

The Office Action rejects claims 5, 11 and 12 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2003/00223020 to Lee; rejects claims 3 and 7-10 under 35 U.S.C. §103(a) over Lee in view of U.S. Patent No. 5,853,179 to Yamanaka; rejects claim 4 under 35 U.S.C. §103(a) over Lee in view of JP App. No. 10-171368 to Yamamoto; and rejects claim 6 under 35 U.S.C. §103(a) over Lee in view of U.S. Patent No. 4,762,983 to Oogita et al. These rejections are respectfully traversed.

Lee does not qualify as prior art. The earliest prior art date of Lee is the filing date of February 28, 2003 under §102(e). The above-identified application was filed on December 3, 2003 and claims priority to JP 2002-370070, filed December 20, 2002. Enclosed is an accurate English language translation of JP 2002-370070 perfecting the December 20, 2002 priority date. As the instant claims are fully supported by the priority document, Lee does not constitute prior art.

Because Lee does not constitute prior art, the rejections must be withdrawn. Further, Yamanaka, Yamamoto and Oogita do not cure the deficiencies of Lee.

Withdrawal of the rejections is thus respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Randi B. Isaacs
Registration No. 56,046

JAO:RBI/hs

Attachment:

Accurate English-language Translation of JP 2002-370070

Date: February 22, 2007

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
